



City of NORFOLK

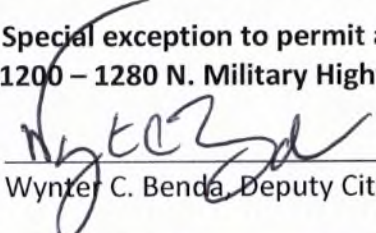
C: Dir., Department of City Planning

To the Honorable Council
City of Norfolk, Virginia

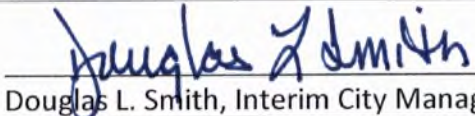
April 11, 2017

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Special exception to permit an electronic outdoor advertising sign (billboard) at 1200 – 1280 N. Military Highway – Adams Outdoor Advertising**

Reviewed: 
Wynter C. Benda, Deputy City Manager

Ward/Superward: 4/7

Approved: 
Douglas L. Smith, Interim City Manager

Item Number:

C-3

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** To permit an electronic outdoor advertising sign (billboard).
- IV. **Applicant:** Adams Outdoor Advertising
- V. **Description:**
 - The site is located on the east side of N. Military Highway just south of E. Virginia Beach Boulevard.
 - The applicant proposes to replace the existing billboard with an LED-style one that is taller, but with the same square footage.
- VI. **Historic Resources Impacts:**
The site is not located within a federal, state, or local historic district.
- VII. **Public Schools Impacts**
N/A

Staff contact: Susan Pollock Hart at (757) 664-4765, susan.pollock@norfolk.gov

Attachments:

- Proponents and Opponents
- Staff Report to CPC dated March 23, 2017 with attachments
- Ordinance

Planning Commission Public Hearing: March 23, 2017

Executive Secretary: George M. Homewood, FAICP, CFM

Planner: Susan Pollock Hart, CFM

GH

SPH

Staff Report	Item No. 6	
Address	1200-1280 N. Military Highway	
Applicant	Adams Outdoor Advertising	
Request	Special Exception	Permit an Outdoor Advertising Sign
Property Owner	National Development, LLC	
Site Characteristics	Site Area	19,000 square feet
	Future Land Use Map	Commercial
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	Lake Taylor
	Character District	Suburban
Surrounding Area	North	IN-2 (Institutional Campus District): Norfolk Vocational Center
	East	IN-2: Parking Lot
	South	C-2: Wells Fargo bank
	West	C-2: IHOP restaurant



A. Summary of Request

- The site is located on the east side of N. Military Highway just south of E. Princess Anne Road/Norhampton Boulevard.
- The applicant proposes to replace the existing billboard with an LED-style billboard that is smaller.

B. Plan Consistency

The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as Commercial.

C. Zoning Analysis

i. General

- Section 16-9 in the *Zoning Ordinance of the City of Norfolk*, 1992, as amended addresses Outdoor Advertising Signs (billboards).
 - The regulations require the following:
 - The applicant proposes to remove the existing billboard on the site that is 22 feet tall, and 594 square feet per face with a 14-foot setback from N. Military Highway.
 - The proposed billboard will be a 25-foot tall LED-style sign that is 378 square feet, 219 square feet smaller than the current billboard.
- The proposed billboard will comply with all of the following development standards including the required 20-foot setback from N. Military Highway:
 - Require a special exception unless an existing billboard is being replaced along any interstate highway.
 - Limit height of 45 feet if facing any interstate highway or 35 feet if facing any other street.
 - Limit location of billboards to C-2, C-3, C-4, I-1, I-2, or I-3 zoning districts.
 - Prohibit them on rooftops.
 - Require a 20-foot setback from any right-of-way.
 - Prohibit them from being oriented towards any body of water.
 - Limit the number of faces to two and the square footage to 450 square feet in Commercial districts and 750 square feet.
 - Require 500 feet between billboards on the same side of the street.
 - Prohibit billboard within 200 feet of any underpass, overpass, bridge or tunnel.
 - Prohibit billboard within 300 feet of any residentially zoned district.

ii. Parking

There is no parking required for a billboard.

iii. Flood Zone

The property is located in X (Shaded) Flood Zones, which are low-risk flood zones.

D. Transportation Impacts

N/A

E. Historic Resource Impacts

The site is not located within a federal, state, or local historic district.

F. Public School Impacts

N/A

G. Environment Impacts

- A new special exception, as well as building and electrical permits are required.
- Additional landscaping at the base of the new sign will be required.
- The existing billboard is located on a raised peninsula within a stormwater BMP (Best Maintenance Practice), and not in the Chesapeake Bay Preservation Area.
 - The existing footprint of the billboard will be reduced as the proposed billboard is smaller in size and will only have one support.

H. AICUZ Impacts

N/A

I. Surrounding Area/Site Impacts

- The proposed billboard is 219 square feet smaller than the existing billboard and will be setback an additional 8.7 feet back from where the existing billboard is currently located.
- A condition requiring substantial landscaping around the base of the billboard will be required whereas now, there is none.

J. Payment of Taxes

The owners of the property are current on all real estate taxes.

K. Civic League

Notification was sent to the Lake Taylor Civic League on February 7, 2017.

L. Communication Outreach/Notification

- Legal notice was posted on the property on February 14.
- Letters were mailed to all property owners within 300 feet of the property on March 8.
- Legal notification was placed in *The Virginian-Pilot* on March 9 and March 16.

M. Recommendation

Staff recommends that the request to replace the existing billboard with a conforming billboard be **approved** subject to the following conditions:

- a) The billboard shall be no taller than 27 feet in height and have no more than 378 square feet per sign face.
- b) The sign shall be set back no less than 22 feet from N. Military Highway.

- c) Landscaping around the base of the sign, shall be the equivalent to the square footage of one sign face.
- d) The billboard shall be self-dimming and the brightness shall not exceed .5 foot candles from a distance of 200 feet.
- e) The 'dwell time' shall not be less than 4 seconds per message.
- f) There shall be no animation.

Attachments

Overview map

Location map

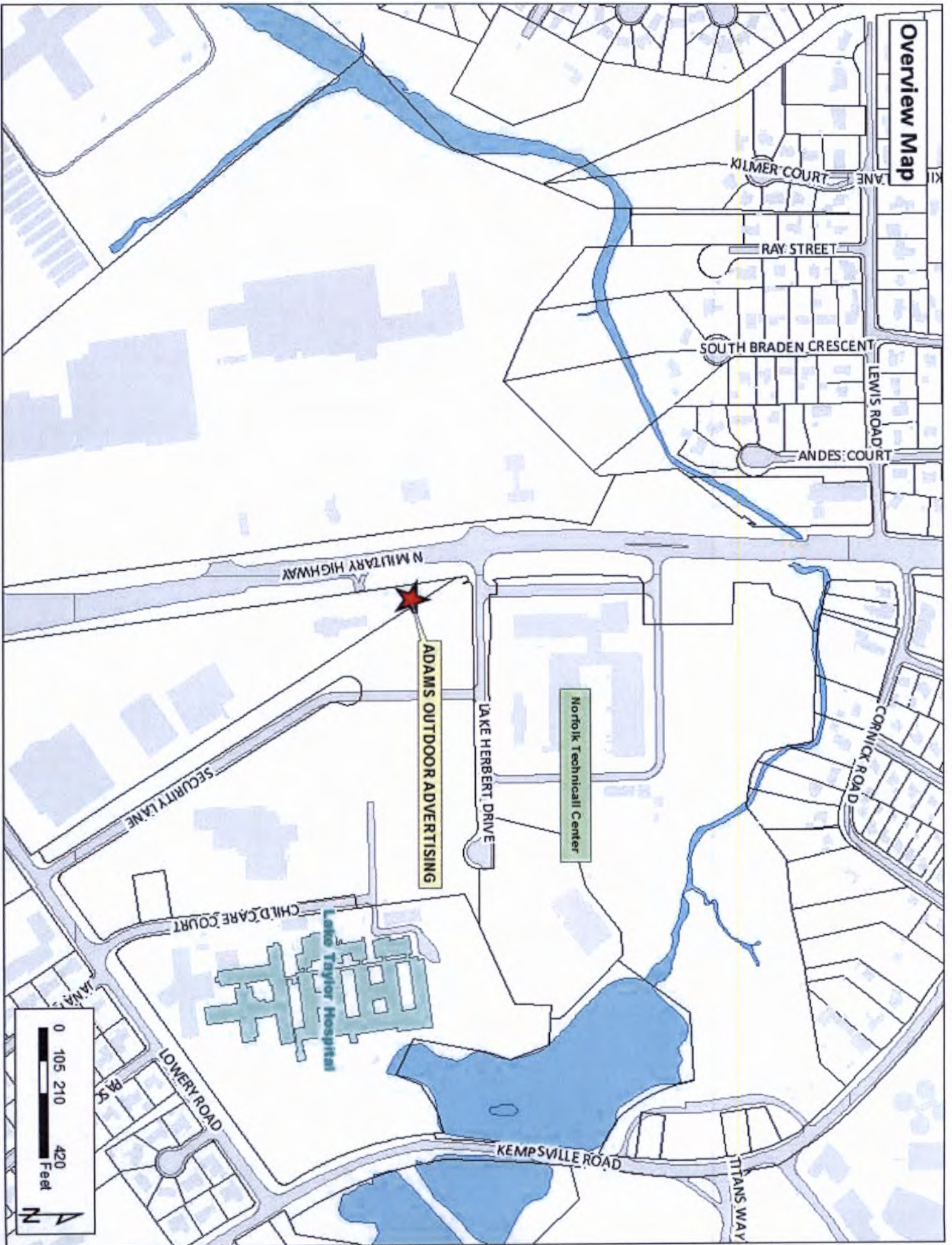
Zoning map

Application

General Special Exception Standards

Notification list of all property owners within 300 feet of the site

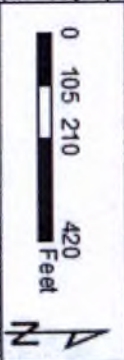
Overview Map



ADAMS OUTDOOR ADVERTISING

Norfolk Technical Center

Lake Taylor Hospital



Proponents and Opponents


Proponents


Stephen R. Romine – Applicant
999 Waterside Drive Suite 2100,
Norfolk, VA 23510

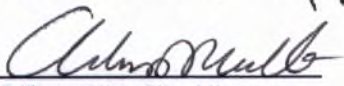
Brian Roeser – Applicant
5547 E. Virginia Beach Blvd,
Norfolk, VA 25454

Opponents

None

Form and Correctness Approved: 

Contents Approved: 

By 
Office of the City Attorney

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT A BILLBOARD FOR "ADAMS OUTDOOR ADVERTISING" ON PROPERTY LOCATED AT 1200 NORTH MILITARY HIGHWAY.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the use of an outdoor advertising sign ("billboard") by Adams Outdoor Advertising, Inc. on property located at 1200 North Military Highway. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 1,774 feet, more or less, along the eastern line of North Military Highway, beginning 34 feet, more or less, from the southern line of Lake Herbert Drive and extending southwardly; property premises numbered 1200 to 1280 North Military Highway.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The billboard shall not exceed 27 feet in height at its highest point, measured from the grade of the highway or street at the point of its nearest proximity to the sign.
- (b) The billboard shall have no more than two (2) sign faces and the maximum size of each sign face shall be 378 square feet.
- (c) The nearest portion of the billboard shall be set back from North Military Highway a minimum of 22 feet.
- (d) Landscaping shall be installed around the base of the sign in an area equivalent to one (1) square foot of landscaping for each one (1) square foot of each sign face. The landscaping shall be maintained

in a healthy growing condition at all times and shall be replaced when necessary.

- (e) The billboard shall be self-dimming and the brightness shall not exceed 0.5 foot-candles measured from a distance of 200 feet.
- (f) Messages shall not change more frequently than once every four (4) seconds.
- (g) No animation or motion video shall be displayed.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended).

Section 4:- That this ordinance shall be in effect from the date of its adoption.

Location Map



LAKE HERBERT DRIVE

ADAMS OUTDOOR ADVERTISING

N MILITARY HIGHWAY

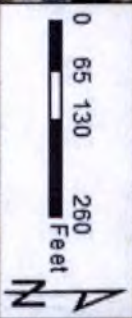
SECURITY LANE

LOWERY ROAD

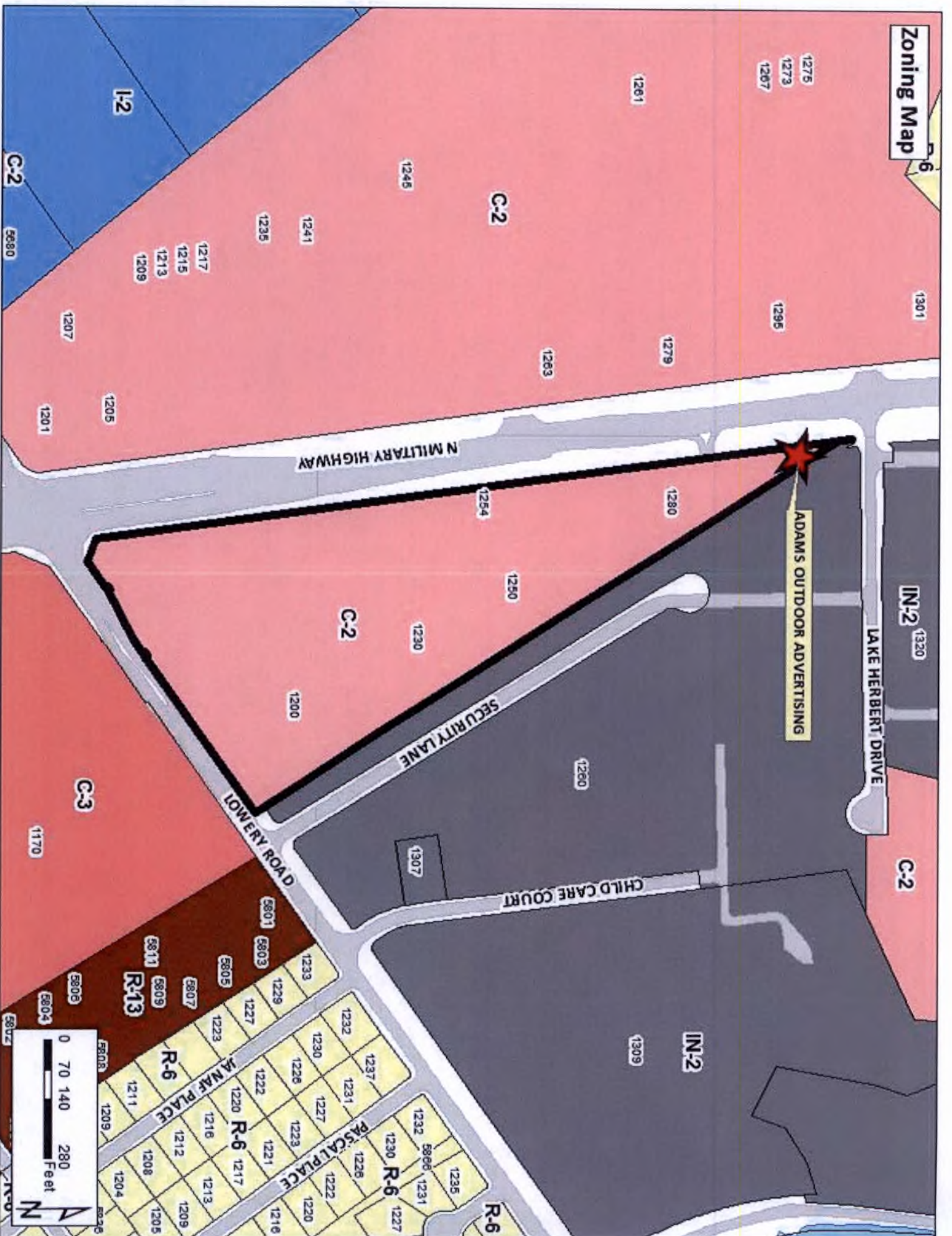
CHILD CARE COURT

JANAF PLACE

PASCAL PLACE



5





APPLICATION SPECIAL EXCEPTION

Special Exception for: Replace existing billboard and convert to LED technology.

Date of application: January 31, 2017

DESCRIPTION OF PROPERTY

Property location: (Street Number) 1200 (Street Name) N. Military Highway

Existing Use of Property Commercial with existing billboard.

Current Building Square Footage n/a

Proposed Use

Replace existing billboard with a 10'6" x 36' billboard which will include two back to back digital faces of the same size and meeting the 20 foot setback off the right of way. The replacement sign will be a reduction in size by 216 square feet. The replacement billboard will include LED technology and be in compliance with City Code including height and dimensional requirements.

Proposed Square Footage

Proposed Hours of Operation:

Weekday From 24 hrs. To

Friday From 24 hrs. To

Saturday From 24 hrs. To

Sunday From 24 hrs. To

Trade Name of Business (If applicable) Adams Outdoor Advertising

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

**Application
Special Exception
Page 2**

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Adams Outdoor (First) Advertising (MI)
Mailing address of applicant (Street/P.O. Box): 5547 Virginia Beach Boulevard
(City) Norfolk (State) Virginia (Zip Code) 23502
Daytime telephone number of applicant (757) 461-1355 Fax (757) 461-0711
E-mail address of applicant: broeser@adamoutdoor.com

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) Romine (First) Stephen (MI) R
Mailing address of applicant (Street/P.O. Box): LeClairRyan, 999 Waterside Drive, Suite 2100
(City) Norfolk (State) Virginia (Zip Code) 23510
Daytime telephone number of applicant (757) 441-8921 Fax (757) 624-3773
E-mail address of applicant: Stephen.Romine@LeClairRyan.com

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) National Development (First) LLC (MI)
Mailing address of property owner (Street/P.O. box): 22512 Gateway Center Drive
(City) Clarksburg (State) Maryland (Zip Code) 20871
Daytime telephone number of owner (301) 556-9344 email: dmarks@brightfocus.org

DEPARTMENT OF CITY PLANNING
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January, 2015)

CIVIC LEAGUE INFORMATION

Civic League contact: Anthony Speight/Lake Taylor Civic League

Date(s) contacted: January 31, 2017

Ward/Super Ward information: Ward 4/Paul Riddick & Superward 7/Angelia Williams Graves

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: David F. Marks Sign: [Signature] 1/31/2017
(Property Owner or Authorized Agent of Signature) (Date)

Print name: Brian Roper, Real Estate Sign: [Signature] 1/31/2017
(Applicant) Manager (Date)

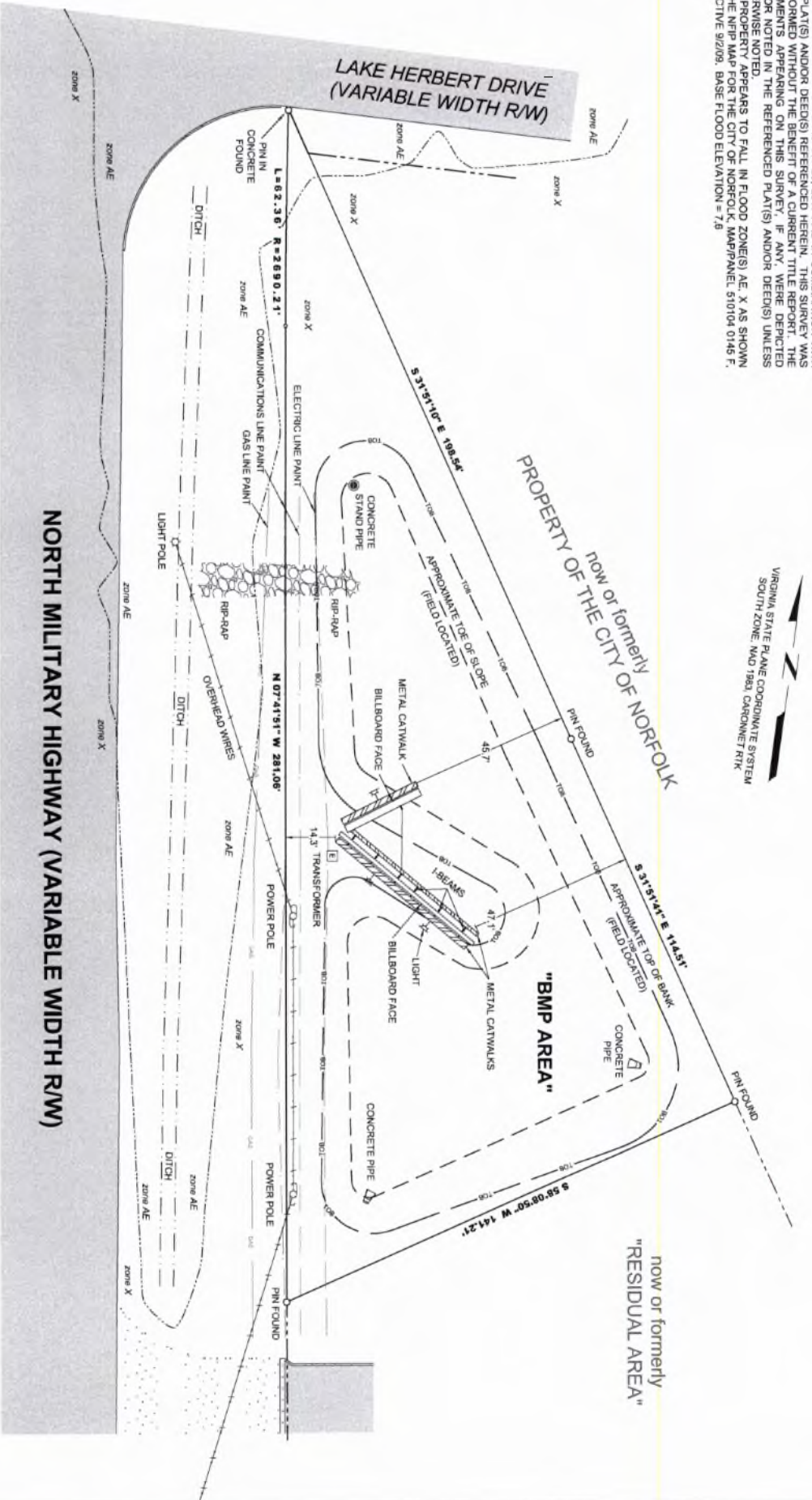
ONLY NEEDED IF APPLICABLE:

Print name: Stephan R. Romine Sign: [Signature] 2/1/17
(Authorized Agent Signature) (Date)

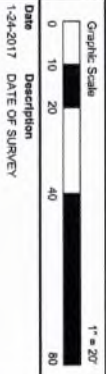
GENERAL NOTES

1. THE EXHIBIT SURVEY SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY PERFORMED ON JANUARY 23, 2017 AND IN COMBINATION WITH THE PLAT(S) AND/OR DEED(S) REFERENCED HEREIN. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THE EASEMENTS APPEARING ON THIS SURVEY, IF ANY, WERE DEPICTED AND/OR NOTED IN THE REFERENCED PLAT(S) AND/OR DEED(S) UNLESS OTHERWISE NOTED.
2. THIS PROPERTY APPEARS TO FALL IN FLOOD ZONE(S) AE, X AS SHOWN ON THE MFP MAP FOR THE CITY OF NORFOLK. MAP PANEL 51004 0145 F, EFFECTIVE 9/2/09. BASE FLOOD ELEVATION = 7.5

VIRGINIA STATE PLANE COORDINATE SYSTEM
SOUTH ZONE, NAD 1983, CARONNET RTK



NORTH MILITARY HIGHWAY (VARIABLE WIDTH R/W)



Date Description
1-24-2017 DATE OF SURVEY

EXHIBIT OF

PART OF PROPERTY NOW OR FORMERLY KNOWN AS
"THE THOMAS R. LEE TRUST PROPERTY MILITARY
HIGHWAY EAST SIDE TAX PARCEL NUMBER 2603-6500"

NORFOLK, VIRGINIA

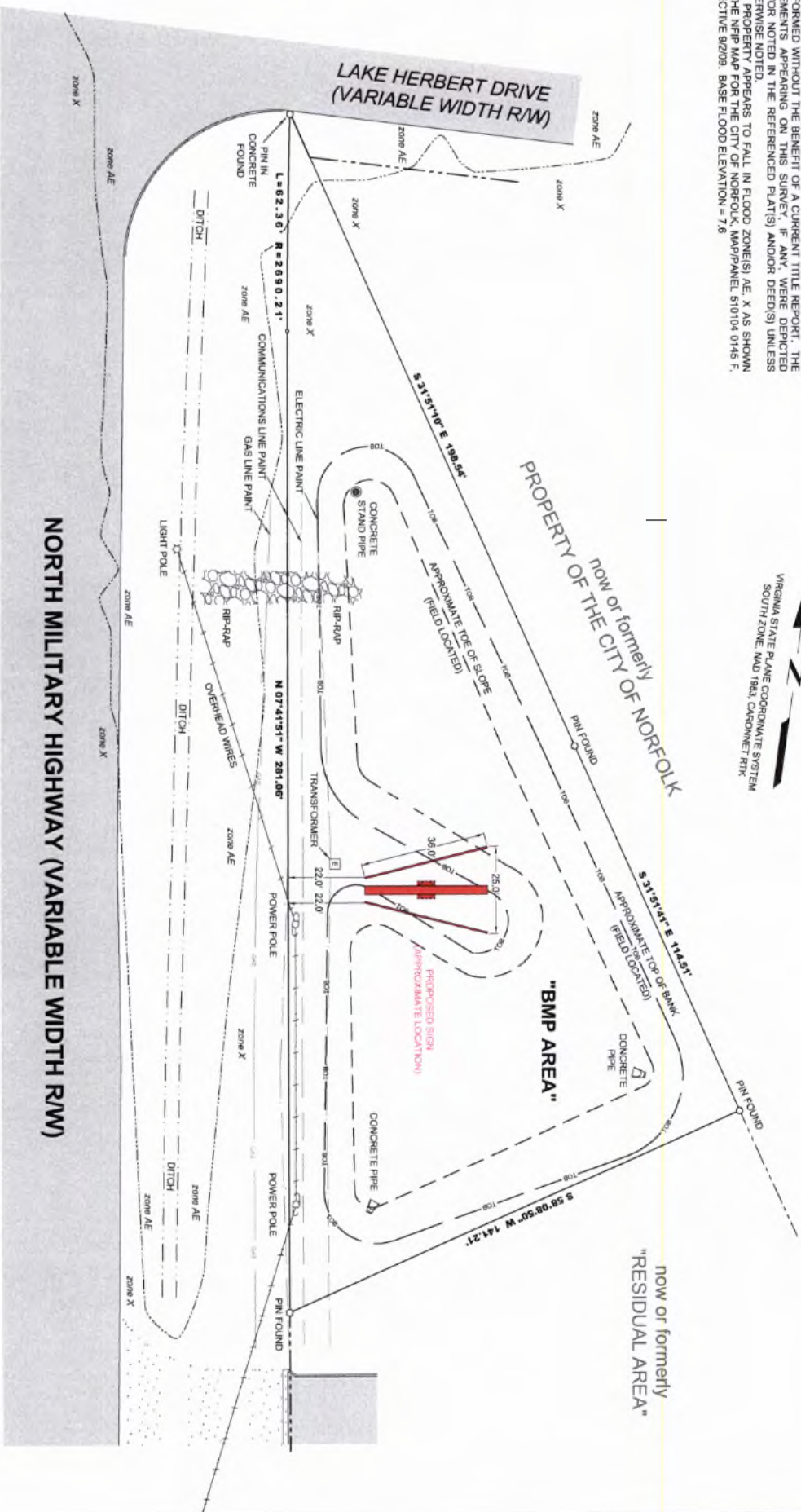
JANUARY 24, 2017

FOR: ADAMS OUTDOOR ADVERTISING

Job No: 13650 Scale: 1" = 20'
 FB: 19451-52 Size: 18 x 24
 Drawn: MTW Revised:
 Check: DT Sheet:

1. THE EXHIBIT SURVEY SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY PERFORMED ON JANUARY 23, 2017 AND IN COMBINATION WITH THE PREVIOUS SURVEY DATED 1992/99. THIS SURVEY WAS CONDUCTED BY PERSONNEL (S) AND/OR FIELD PERSONNEL (S) WHOSE NAMES AND IDENTIFICATION NUMBERS ARE LISTED ON THIS SURVEY. IF ANY WERE DELETED OR ESSENTIALS APPEARING ON THIS SURVEY, IF ANY, WERE DELETED (AND/OR NOTED IN THE REFERENCED PLAT(S) AND/OR DEED(S) UNLESS OTHERWISE NOTED.
2. THE EXHIBIT SURVEY APPEARS TO FALL IN FLOOD ZONE(S) AE X AS SHOWN ON THE NRP MAP FOR THE CITY OF NORFOLK, MAP/PANEL 610004.0145 F. EFFECTIVE 9/2/09. BASE FLOOD ELEVATION: 7.6

VIRGINIA STATE PLANE COORDINATE SYSTEM
SOUTH ZONE, NAD 1983, CARONNET RTK



DKT Associates
LAND SURVEYORS

1100 Granby Street
Suite 100
Norfolk, VA 23510

Tel. (757) 568-5899
DKTAssociates.com



EXHIBIT OF
PART OF PROPERTY NOW OR FORMERLY KNOWN AS
"THE THOMAS R. LEE TRUST PROPERTY MILITARY
HIGHWAY EAST SIDE TAX PARCEL NUMBER 2503-6600"

FOR ADAMS OUTDOOR ADVERTISING

Job No:	13850	Scale:	1" = 20'
FB:	194/5-52	Size:	16 x 2
Dram:	MTW	Revised:	
Check:	DT	Sheet:	1 of 1

APPLICATION SPECIAL EXCEPTION
DESCRIPTION OF PROPOSAL

NATURE OF PROPOSED USE

Adams Outdoor Advertising seeks a Special Exception Application to replace an existing billboard with a 10'6" x 36' billboard which will include two back to back digital faces of the same size and meeting the 20 foot setback off the right of way. The replacement signs will be a reduction in size by 216 square feet. The replacement billboard will include LED technology and be in compliance with City Code including height and dimensional requirements on a portion of an 15.1763 acre parcel at 1200 N. Military Highway, identified as GPIN Number 1458228678 ("the Property"). The Property is currently zoned C-2 and IN-2.

The fee simple owner of this Property is National Development, LLC. David F. Marks, has executed the Special Exception Application.



February 1, 2017

VIA HAND DELIVERY

Department of Planning & Community Development
City of Norfolk
810 Union Street, Room 508
Norfolk, Virginia 23510

National Development, LLC
1200 N. Military Highway, Norfolk, Virginia
Special Exception Application
Our File No. 03793.0011

Dear Sir or Madam:

Enclosed you will find the following application and related documents in connection with the request to replace the existing static sign with a 10'6" x 36' billboard which will include two back to back digital faces of the same size at 1200 N. Military Highway:

1. A completed Special Exception Application, together with the following:
 - A check in the amount of \$355.00 made payable to the Norfolk City Treasurer;
 - Elevation;
 - A survey/site plan; and
 - Project description.

Please do not hesitate to contact me should you have any questions regarding the enclosed applications.

Sincerely,

Stephen R. Romine

E-mail: SRomine@LeClairRyan.com
Direct Phone: 757.441.8924
Direct Fax: 757.441.8971

999 Waterside Drive, Suite 2100
Norfolk, Virginia 23510
Phone: 757.624.1454 \ Fax: 757.624.3773

CALIFORNIA \ CONNECTICUT \ MASSACHUSETTS \ MICHIGAN \ NEW JERSEY \ NEW YORK \ PENNSYLVANIA \ VIRGINIA \ WASHINGTON, D.C.

ATTORNEYS AT LAW \ WWW.LECLAIRRYAN.COM

Norfolk Planning Department
February 1, 2017
Page 2

Enclosures

cc: Mr. Brian Roeser (via electronic mail)(w/o encl.)

American Diabetes Assoc Pth Corp
Po Box 2491
Norfolk VA 23501-2491

National Development Llc
22512 Gateway Center Dr
Clarksburg MD 20871

University Garden Apartments
Po Box 2491
Norfolk VA 23501-2491

Verizon Virginia Inc. - Lessee
1411 Kempsville Rd
Norfolk VA 23502

Wal-Mart Stores Inc
Po Box 8050 Ms 0555
Bentonville AR 72712-8055

Pollock, Susan

From: McDonald, Colette
Sent: Tuesday, February 07, 2017 2:15 PM
To: 'laketaylorcivicleague@gmail.com'
Cc: Riddick, Paul; Graves, Angelia; Howard, Oneiceia; Pollock, Susan
Subject: New Planning Commission Application - 1200 N. Military Highway
Attachments: Application.pdf

Mr. Speight,

Attached please find an application from **ADAMS OUTDOOR ADVERTISING**, for a special exception to permit an outdoor advertising sign (billboard) at 1200 N. Military Highway.

Staff contact: Susan Pollock at (757) 664-4765, susan.pollock@norfolk.gov

This item is tentatively scheduled for the March 23, 2017 Planning Commission public hearing.

Thank you,

Colette McDonald
City of Norfolk Planning Technician



Planning Department
810 Union Street | Suite 508
Norfolk, VA 23510
Email | Colette.McDonald@Norfolk.gov
Phone | (757) 664-6771